

Applicant : Huston et al.  
Serial No. : 08/014,096  
Filed : February 4, 1993  
Page : 6 of 7

Attorney's Docket No.: 13235-004002 / 00960-  
562DIVFWC

### REMARKS

The undersigned appreciates the chance to speak with Examiner Ulm by phone on August 9 and 11, 2005. The interview involved: a) whether it is proper to cite the content of the Cousens et al. priority document (USSN 717,209, filed March 28, 1985); and b) the above claim amendments.

The undersigned agrees that the content of the Cousens priority document is prior art. The undersigned pointed out that the record establishes an invention date in this case before the Cousens CIP filed on March 28, 1996 issued as US 4,751,180, and so it is improper to cite as prior art material that was added in the CIP.

The Examiner will look at the claim amendment.

Applicants point out that there is support in the specification for the claim limitation to fragments of antibodies at p. 28, ll 24-30 of the specification as filed:

"Thus, this invention may be used to produce growth factors, hormones, lymphokines, enzymes, antibodies or their various fragments including binding sites..."

Applicants further point out that the text in the Cousens CIP/patent at 3:44-49 was added when the CIP was filed on March 28, 1986. It did not appear in the parent case filed March 28, 1985.

The undersigned further discussed the deletion of the phrase in claim 47 that has not been successful in distinguishing the prior art.

The amendment is believed to be proper insofar as it puts the case in condition for allowance and/or removes issues on appeal.

AUG. 11. 2005 4:08PM

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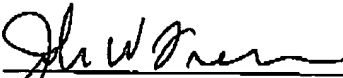
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Page : 7 of 7

Attorney's Docket No.: 13235-004002 / 00960-  
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Respectfully submitted,

Date: 8/11/2005

  
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